

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.: 10/675,011 Confirmation No.: 5538
Applicant(s): Dickey *et al.*
Filed: September 30, 2003
Art Unit: 1638
Examiner: Zheng, Li
Title: EXPRESSION OF BIOLOGICALLY ACTIVE POLYPEPTIDES
IN DUCKWEED

Docket No.: 040989/267934
Customer No.: 00826

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**NOTICE OF APPEAL TO THE BOARD OF PATENT
APPEALS AND INTERFERENCES (37 C.F.R. § 41.31)**

Applicant in the above-identified patent application hereby appeals to the Board of Appeals and Interferences from the decision dated February 7, 2008, rejecting the following Claims 82-84 and 87-94. The fee for this Notice of Appeal under 37 CFR § 41.20(b)(1) is enclosed.

Applicant claims small entity Status.
 A check is enclosed.
(\$510.00 for large entity fee or ~~\$255.00 if small entity status~~)
 Please charge Deposit Account No. 16-0605 for the Notice of Appeal Filing Fee.
 Any additional fee or refund may be charged to our Deposit Account No. 16-0605.
 A petition for an extension of time under 37 CFR § 1.136(a) is enclosed.

Respectfully submitted,



W. Murray Spruill
Registration No. 32,943

Customer No. 00826
ALSTON & BIRD LLP
Bank of America Plaza
101 South Tryon Street, Suite 4000
Charlotte, NC 28280-4000
Tel Raleigh Office (919) 862-2200
Fax Raleigh Office (919) 862-2260

ELECTRONICALLY FILED USING THE EFS-WEB ELECTRONIC FILING SYSTEM OF THE UNITED STATES PATENT & TRADEMARK OFFICE ON June 9, 2008.